

Exhibit B to Mather Declaration (Judge Denlow Biography)

Hon. Morton Denlow (Ret.)

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Biography.

Hon. Morton Denlow (Ret.) joined JAMS in October 2012 following 16 1/2 years of distinguished service as a Magistrate Judge for the United States District Court for the Northern District of Illinois. During his time on the bench, Judge Denlow presided over thousands of civil and criminal matters. He conducted over 2,000 settlement conferences and tried a number of bench and jury trials, including complex commercial disputes, employment, ERISA, intellectual property and civil rights cases.

Judge Denlow is known as a creative problem solver who will not rest until a case is settled. During his first ten years at JAMS, he achieved settlements totaling approximately \$1.7 billion, including almost 300 settlements of \$1 million or more. He has mediated more than 800 disputes since joining JAMS, including more than 250 class action lawsuits.

Judge Denlow is a nationally recognized expert in settling cases. He is a sought after speaker and writer on mediation and settlement techniques. As a faculty member of the Federal Judicial Center, he taught hundreds of federal judges mediation skills and effective impasse breaking techniques.

Prior to his appointment to the federal bench on March 1, 1996, Judge Denlow was actively engaged for 24 years as a trial and appellate lawyer in complex commercial litigation. His breadth of experience as a trial lawyer, a settlement-focused judge, and successful mediator makes him an ideal choice to mediate complex cases.

ADR Experience and Qualifications

As a federal judge, Judge Denlow conducted over 2,000 settlement conferences on the full range of federal cases, including many complex commercial matters. Judge Denlow has handled matters involving the following areas of law:

- **Antitrust:** experience in settling complex antitrust disputes. Settlements since joining JAMS include: a \$97.5 million settlement in a multi-district antitrust suit against potash producers, an \$18 million settlement in a commodities industry class action suit, and a \$39 million settlement involving liquid crystal display (LCD) panels.
- **Banking:** settlements in a wide variety of bank related cases including: class actions claiming bank NSF and overdraft fee overcharges; loan defaults; wrongful auto replevin claims; and claims brought by the FDIC against former officers and directors of closed banks
- **Business / Commercial:** since joining JAMS Judge Denlow has settled more than 250 business/commercial matters of every imaginable type
- **Civil Rights:** as a judge settled civil rights claims against municipalities and other government entities. At JAMS, Judge Denlow settled one of the City of Chicago's largest ever single plaintiff action and several multi-million dollar §1983 claims.

- **Class Actions:** since joining JAMS, Judge Denlow has mediated approximately 250 class action suits including: cases under the Illinois Biometric Privacy Act ("BIPA"), cyber security data breach claims, ERISA, Fair Debt Collection Practices Act (FDCPA), securities fraud, Truth in Lending Act (TILA), Fair Credit Reporting Act (FCRA), Fair Labor Standards Act (FLSA), Telephone Consumer Protection Act (TCPA), antitrust, consumer false advertising and labeling claims and employment discrimination and FLSA suits. His total JAMS class action settlements exceed \$700,000,000.
- **Cyber Security and Privacy:** settled numerous Illinois BIPA lawsuits and a number of data breach cases in many states arising out of ransomware and cyber attacks of personal, financial and medical information.
- **Employment:** settled employment cases involving discrimination claims (age, sex, disability, race, Family and Medical Leave Act (FMLA), and retaliation), breach of employment contracts, EEOC lawsuits, FLSA claims, employment contract disputes, and executive compensation and benefits claims.
- **ERISA:** settled ERISA retirement and employee class actions, disability insurance policy claims, and union trust fund actions.
- **Federal:** Managed a full docket of civil federal cases for 16.5 years in Chicago with an emphasis on conducting settlement conferences.
- **Insurance:** settled coverage, property damage, reinsurance, subrogation, bad faith and related disputes under a wide variety of insurance policies.
- **Intellectual Property:** settled patent cases involving high-tech and low-tech patents; trademark cases involving names, logos, packaging, and licensing agreements; and a full range of copyright infringement cases.
- **Professional Liability:** settled accountant, architect, directors/officers and legal malpractice claims and fee disputes.
- **Real Property:** settled real estate partnership breakups, breach of contract, and real estate valuation disputes.
- **Securities:** securities fraud 10b-5 class actions, breach of fiduciary duty, fraud, stock options backdating, and stockholder derivative actions and was an active securities law litigator
- **Special Master:** while serving as a judge he created the methodology and settled over 400 cases in a Truth in Lending multidistrict litigation (MDL) case and settled a 20-party receivership involving numerous claims including Securities and Exchange Commission (SEC) and U.S. Department of Labor litigation
- **Training/Teaching:** longtime member of the Federal Judicial Center where he lectured and trained hundreds of federal judges in mediation skills, and he is a regular speaker at local law schools and bar association programs and the JAMS Institute on mediation and settlement skills

Representative Matters:

ANTITRUST:

- \$97,500,000 settlement in a multidistrict antitrust suit against producers of potash
- \$18,000,000 settlement in the commodities industry
- \$4,800,000 settlement involving the container board and corrugated paper industry
- \$39,000,000 settlement involving liquid crystal display (LCD) panels
- \$9,000,000 settlement involving liquid crystal displays
- \$6,000,000 settlement involving cathode ray tubes
- \$2,000,000 pre-suit settlement involving claim for price-fixing for lithium ion batteries

BANKING:

- **Aviation Loan:**

Settled suit on defaulted aviation loan pending in Michigan

- **Bank Class Actions:**

- Settled a number of class actions alleging wrongful charges of bank overdraft and NSF fees
- Settled a federal class action suit alleging deficient pre-sale notice following repossession of vehicles
- Settlement of class action claim alleging calculation error in loan modification

- **Bank Fraud:**

- Settled suit alleging bank wrongfully deposited forged check
- Settled state court actions for \$2,500,000 involving claims that bank officer conspired with third party to defraud bank customer
- Settled suit involving fraudulent equipment lease deal

- **Bank Trustee:**

Settled suit against bank trustee alleging breach of fiduciary duty arising out of \$10,000,000 investment loss

- **Bonding Claims:**

Settled suit seeking coverage under a Financial Institution Bond

- **Directors, Officers:**

Settled 15 lawsuits and pre-suit claims brought by the FDIC against former officers and directors of closed banks. Some settlements involved directors' and officers' insurance carriers and others involved personal contributions by directors and officers. Cases involved banks located in Illinois, Nebraska, Ohio and Indiana.

- **Loan Guaranty:**

Settled suit on a guaranty arising out of a foreclosure on a shopping center in Indiana

- **Mortgage Class Action:**

- Settled national class action against bank claiming that defendant bank breached its mortgage trial plan under the HAMP program
- Settled class action suit alleging bank failed to timely release mortgage liens after loans were repaid

BUSINESS/COMMERCIAL:

- **Breach of Contract:** Settled pre-suit disputes and lawsuits for breach of contract, including:
 - Suit arising out of a purchase of a controlling interest in a minor league baseball franchise
 - Suit alleging improper payment of healthcare claims for major insurance company
 - Pre-suit claim arising out of a print services agreement
 - Suit between two banks arising out of private student loan program
 - Pre-suit claim between regional healthcare provider and provider of electronic medical records system
 - Pre-suit claim by medical provider against medical billing provider
 - Pre-suit claim for breach of contract and conversion arising out of futures market trading losses
 - Suit for real estate advisor fee
 - Suit alleging billing errors between utility and wind energy power supplier
 - Suit against a university alleging failure to issue Psy. D.
 - Suits brought by fourteen counties for failure to pay for copying of public documents
 - Suit for breach of consulting agreement in the food industry
 - Suit for failure to pay for new circuits installed in regional data centers
 - Suit regarding the scope of defendant's payment obligations under tax consulting agreements
 - Suit for exchange of design services for consignment services to sell furniture and art
 - Suit for breach of a marketing analytics agreement
 - Pre-suit claim arising out of the sale of a dental practice
 - Breach of contract of consulting agreement to improve performance of a paper mill
 - Claim by providers of dialysis services
 - Pre-suit claim arising out of asset purchase agreement and dispute over the amount of earn out due
 - Suit regarding escrow from sale of stores
 - Pre-suit claim arising out of contract for maintenance of pipeline right of ways
 - Breach of contract arising out of sale of advertising services
 - Suit arising out of sale of 400,000 barrels of ethanol
 - Suit alleging failure to pay for delivery, rental and cleaning of oil tanks
 - Pre-suit claim arising out of a pharmacy benefits manager contract
 - Pre-suit claim for termination of a management agreement for a senior residential facility
 - Suit arising out of a temp agency staffing contract
 - Suit alleging failure to pay rebates under a shipping agreement
 - Pre-suit claim arising out of liquidation of a hedge fund investment

- Pre-suit claim for unpaid sales allowances for auto accessories
- Pre-suit claim for wrongful disclosure of confidential information
- **Breach of Warranty:**
 - Settled suit for breach of warranty alleging defective boilers for use in the ethanol industry
 - Settled suit for breach of warranty brought by telecommunications company against component supplier
 - \$10,000,000 settlement of breach of warranty claim arising out of a machine collapse
 - Suit alleging defects in nuclear power plant pump seals
 - Pre-suit settlement of dispute involving long-term maintenance and repair service agreement for a steam turbine generator
- **Derivative Claim:**
 - \$1,500,000 settlement of derivative suit claiming breach of fiduciary duty and fraud
 - \$1,000,000 settlement of a derivative suit alleging directors failed to timely sell business
- **Distribution Agreements:**
 - Settled a dispute between a manufacturer and distributor arising out of alleged breach of a distributorship agreement
 - \$3,000,000 settlement of claim pending in arbitration alleging wrongful termination of distributor agreement
 - \$65,000,000 pre-suit settlement arising out of a product supply and distribution agreement in the drug industry
 - \$3,500,000 settlement of a suit alleging a breach of an auto supply distribution agreement
 - Breach of contract pre-suit claim arising out of CoPak agreement in food processing industry
- **Family Business Dispute:**
 - Settled three year old lawsuit between two sisters (minority shareholders) against two brothers (majority shareholders) resulting in multi-million dollar buyout of sisters' interest in business
 - \$14,500,000 settlement of a suit by family member resulting in a buyout of minority interest
 - Settled lawsuits between siblings involving closely held business with \$50M in annual sales
 - Settled family business dispute between two brothers including the auction of three jointly owned real estate properties
 - Pre-suit settlement resulting in a buyout of family member's ownership interest in a private university

- **Franchise:**

- Pre-suit settlement of a dispute between 30 franchisees and franchisor over compliance, fees and other issues
- Fraud and Kickbacks:
- Multi-million dollar settlement between dealership owner and auto manufacturer alleging fraud
- Multi-million dollar settlement of lawsuit by two shippers for alleged overpayment of shipping charges due to kickback and bribery scheme between company executive and two shipping companies
- \$550,000 qui tam settlement arising out of claim for Medicare billing fraud

- **Joint Venture Disputes:**

- Pre-suit settlement of claim arising out of Ownership Vesting Agreement in the Cannabis industry
- Settlement of pre-suit dispute separating parties in steel coating industry
- \$1,200,000 settlement of claim for breach of fiduciary duty and dissolution of LLC
- Pre-suit settlement of dispute between two travel companies terminating their joint venture
- Settlement of four lawsuits involving the dissolution of a joint venture manufacturing and sales venture

- **Law Firm Disputes:**

- Breach of contract suit against law firm alleging entitlement to 33% of attorney fees received in a class action settlement
- Settled pre-suit dispute involving the breakup of small law firm by means of a med-arb process
- Pre-suit claim by former law firm partner against firm alleging he was wrongfully forced out

- **Manufacturing:**

- Breach of contract suit arising out of the purchase of a surgical robot
- \$375,000 settlement of a claim in arbitration alleging defective manufacture of a precision cut to length steel line
- Settled a breach of contract and breach of warranty suit alleging defective sensor in tractor air conditioning units
- \$1,300,000 settlement of suit alleging defective dishwasher parts
- Settlement of pre-suit claim alleging breach of contract to manufacture high protein bars
- \$600,000 settlement of pre-suit claim for breach of warranty of manufactured products
- Settlement of case in arbitration involving a claim for breach of contract in the manufacture and performance of an integrated packaging line
- Settled a breach of contract and breach of warranty suit that had been pending for four years between a municipality and a bus manufacturer involving 227 buses
- \$9,700,000 settlement of breach of contract suit to manufacture two train sets
- \$4,850,000 settlement of breach of contract suit alleging non-conforming cheese ingredients resulting in recall
- Breach of wheel assembly equipment purchase
- Breach of contract dispute arising out of supply agreement for radio pharmaceutical products
- Breach of contract claim arising out of purchase of major medical equipment
- Settlement of claim in arbitration claiming breach of contract for the installation of a defective bottling line

- **Minority Shareholder Oppression Claims:**

- \$3,500,000 settlement of suit by minority owner in an LLC alleging oppression and breach of fiduciary duty
- Settled minority shareholder dispute arising out of sale of medical equipment to foreign company
- Settled pre-suit claim for breach of fiduciary duty and breach of contract brought by minority shareholder in anesthesia medical practice
- \$2,600,000 pre-suit settlement of claims alleging breach of fiduciary duty and improper valuation of minority interest in tax redemption business
- Settlement of suit by minority shareholder in multi-state pizza business
- \$4,000,000 settlement of claim by minority shareholder for breach of fiduciary duty and accounting
- \$1,000,000 settlement of breach of fiduciary duty claim by minority shareholder in medical marijuana company
- \$275,000 pre-suit settlement and buyout of minority shareholder in construction management company
- \$350,000 settlement of suit alleging minority shareholder oppression and breach of fiduciary duty
- \$295,000 settlement of a suit alleging fraud in the sale of a business
- \$550,000 settlement of suit alleging shares were not redeemed at a fair price

- **Partnership Dispute:**

- Settled five year old suits between 50/50 partners arising out of \$600,000,000 real estate business
- Settled two lawsuits between 50/50 partners involving 27 apartment complexes and devising plan of separation involving over \$100,000,000 in real estate
- Settled a partnership dissolution of 50/50 partners between Dunkin Donuts franchisees
- Settled suit to allocate \$5,000,000 proceeds of sale of restaurant and related real estate
- Settled accounting dispute between two partners in the fashion industry
- Pre-suit settlement of buy-out of a 50% partner in manufacturing company
- Multimillion dollar settlement of lawsuit between partners alleging breach of contract and breach of fiduciary duty
- Settled suit by law firm income partner claiming wrongful termination
- Settled pre-suit buyout of 1 of 3 partners in major real estate investment firm
- Settled suit separating 50/50 partners in resin business pending in USDC ND ILL
- Settled suit by partner alleging failure to share partnership profits pending in Cook County Circuit Court
- Settled suit by minority partner in a restaurant business resulting in a buyout of his interest
- Pre-arbitration settlement of buyout of minority partner in investment management firm

- **Qui Tam/False Claims Act:**

- \$25,000,000 settlement of suit alleging overcharges for drones use in intelligence surveillance and reconnaissance
- \$15,000,000 settlement of three suits brought by governmental entities alleging price fixing in liquid aluminum phosphate market used for water treatment
- \$550,000 settlement arising out of claim for Medicare billing fraud

- **RICO:**

Multimillion dollar settlement of civil RICO lawsuit brought by more than 10 plaintiffs alleging fraudulent business practices

- **Software Contracts:**

- Pre-suit claim for breach of contract arising out of a software licensing agreement in the healthcare industry
- Breach of contract suit arising out of software implementation dispute
- Breach of software contract suit in automobile industry
- Breach of contract suit arising out of contract to develop a computer software controlled system to coordinate the dispatch of police, fire and ambulance
- Breach of contract pre-suit claim regarding reimbursements arising out of operation of waste reprocessing facility
- Pre-suit claim arising out of software license and distribution agreement
- Breach of software maintenance agreement

- **Supply Agreement:**

- Claim for failure to accept delivery of uranium concentrate
- Settled suit for breach of a supply contract to produce, bottle and package beverages

- **Trade Secrets:**

- Settled suits alleging former employee breached contractual and fiduciary duties and stole trade secrets in a number of different industries
- Settled suit for theft of trade secrets involving code based revalue software

- **Tortious Interference with Contract:**

- Settled suit by food broker alleging grocery store chain interfered with contracts with food suppliers
- Settled suit between two trucking companies alleging wrongful recruitment of truck drivers under contract
- Settled suit between two insurance companies alleging breach of non-solicitation agreements of numerous insurance company employees

CIVIL RIGHTS

Section 1983 and Equal Protection:

- \$4,950,000 settlement with City of Chicago alleging failure to hospitalize and excessive force (taser) resulting in death
- \$22,500,000 settlement of matter brought against the City of Chicago for failure to provide medical care following arrest
- \$4,500,000 settlement brought against several suburban communities for 5-year false imprisonment
- \$155,000 settlement of matter brought against police officer for alleged on-duty sexual harassment of plaintiff
- \$1,400,000 settlement of suits brought against a municipality for failure to process rape kits

CLASS ACTIONS

- **Antitrust matters:**

- \$97,500,000 settlement in a multi-district (MDL) antitrust litigation against producers of potash, a natural chemical used in fertilizers
- \$39,000,000 settlement involving liquid crystal display (LCD) panels
- \$4,800,000 settlement involving the container board and corrugated paper industry
- \$9,000,000 settlement involving liquid crystal displays
- \$6,000,000 settlement involving cathode ray tubes

- **Bank Class Actions:**

- Settled a number of class actions alleging wrongful charges of bank overdraft and NSF fees
- Settled a federal class action suit alleging deficient pre-sale notice following repossession of vehicles
- Settlement of class action claim alleging calculation error in loan modification

- **BIPA (Illinois Biometric Privacy Act):**

- Settled approximately 40 federal and state court class actions totaling over \$40,000,000. Representative cases include:
- Settlement against manufacturers of timekeeping devices for use by employers to keep track of their employees for payroll purposes
- Numerous cases arising out of hand/finger scanning timekeeping systems used in grocery stores, restaurants, factories, hotels, food packaging, staffing agencies, hospitals and other businesses

- **Breach of Contract:**

- \$3,100,000 settlement arising out of the closure of a college
- Settled national breach of contract class action suit against list provider
- Settled class action involving "gap" debt cancellation contract for auto loans
- Settled mortgage breach of contract class actions pending in USDC Iowa and USDC Cal

- **Consumer Fraud Claims:** approximately 40 cases around the country totaling over \$50,000,000 in settlements including:
 - Settled national class actions in connection with the labeling or advertising of naan flatbread products, cleaning products, health benefits of shoes, dog treats, “all natural” food products, under filled candy boxes, infant acetaminophen, treadmills, non-dairy coffee creamers
 - Settled a class action against landlord alleging overcharges for security deposits
 - Settled a breach of contract class action against a commercial waste management provider
 - Settled national class actions alleging defective barbecue grills and firebox trays, defective trucking navigation devices, auto emissions design defect
 - Settled a class action brought under the Illinois Private Business and Vocational Schools Act
 - Settled class action suit alleging hospital wrongfully asserted lien against patients' personal injury claims
 - Settlement of 11 consumer class action cases arising out of alleged internet violations
 - \$12,000,000 settlement of claim alleging utility bill fraud
 - Settlement of class action claim alleging calculation error in loan modification
- **Data Breach/Privacy:**
 - \$1,000,000 settlement of a data breach at a medical network
 - \$1,000,000 settlement of invasion of privacy claim against app developer for unlawful tracking of runners
 - \$3,700,000 settlement of claim that defendant's sensual device improperly collects personal information without consent in USDC ND ILL
 - \$5,750,000 in benefits and cash federal lawsuit settlement arising out of a data breach of personal information from hospital
 - \$650,000 in benefits and cash federal lawsuit settlement arising out of a data breach of personal information from a hospital system
 - \$225,000 in benefits and cash federal lawsuit settlement arising out of a data breach in a medical rehab organization
- **Employment:**
 - \$1,500,000 settlement of a suit alleging racial discrimination in the hiring of temporary workers
 - \$625,000 settlement of suit alleging nationwide claim under the ADA regarding parking accessibility at 2000 stores
 - \$800,000 settlement of a suit alleging racial discrimination in the hiring of temporary workers

- **ERISA:** 15 cases totaling over \$70,000,000 in settlements, including:
 - \$17,000,000 settlement arising out of suit alleging breach of fiduciary duty in Plan 401(k) investment decisions
 - \$2,400,000 settlement of a suit alleging breach of fiduciary duty in suit alleging that ESOP overpaid for purchase of a company
 - \$3,500,000 settlement of a suit alleging breach of fiduciary duty in management of two university retirement plans
 - Settled an ERISA anti-cutback suit for \$15,500,000
 - Settlement of a suit against a life insurance company alleging that it improperly received revenue sharing payments from mutual funds
 - \$6,500,000 settlement of a suit alleging university officials breached fiduciary duty in managing and investing pension funds
 - \$5,500,000 settlement of a suit alleging service date not properly calculated
 - \$990,000 settlement of a suit alleging COBRA violations
- **Fair Credit Reporting:**
 - \$9,000,000 settlement of FCRA case on remand from U.S. Supreme Court
 - \$4,975,000 settlement of FCRA/FACTA suit
 - \$620,000 settlement of FCRA suit arising out of report obtained for employment purposes
 - \$975,000 settlement of a suit alleging adverse employment action without providing report pending in USDC NDILL
 - \$850,000 settlement of FCRA and data privacy suit
- **Fair Debt Collection Practices Act:**
 - \$1,400,000 settlement of suit alleging unlawful vehicle repossession
 - \$900,000 settlement of suit alleging unlawful vehicle repossession
- **Fair Labor Standards Act (FLSA) and Stage Wage Statutes:** over 20 cases totaling over \$24,000,000 in settlements

Settled class action and collective action suits in the banking, bookstore, cellular phone sales, office equipment, temporary staffing, recruiting, healthcare (nursing), medical records, chicken catchers, newspaper, restaurant, remote call center employees, retail, gym, warehouse and staff augmentation providers industries
- **Insurance:**

\$2,039,500 settlement of suit alleging defendant wrongfully denied coverage for claims based on alleged misrepresentations in insurance applications
- **Mortgage Class Action:**

Settled a national class action against bank claiming that defendant bank breached its mortgage trial plan under the HAMP program

- **Telephone Consumer Protection Act (TCPA):**

Settled more than 70 cases with settlements totaling over \$300,000,000 including multimillion dollar settlements arising out of auto industry marketing, bank telemarketing, credit union, furniture telemarketing, gas and electric marketing, insurance telemarketing, wine telemarketing, merchant processing telemarketing, mortgage telemarketing, restaurant marketing, security systems, school messaging, solar panel marketing, student loan collection activities, debt collection, survey calls, faxes, text messages, telephone company, mortgage lender and pharmaceutical company receivables collection agency calls for cases pending in California, District of Columbia, Florida, Georgia, Illinois, Indiana, Maryland, Massachusetts, Minnesota, Missouri, Montana, New York, Nevada, Pennsylvania, Texas, Virginia and Wisconsin

- **Wrongful Repossession:**

- \$3,250,000 settlement of class action alleging wrongful repossession of cars
- \$700,000 settlement for wrongful repossession of cars

CYBERSECURITY & PRIVACY

- **Data Breach and Privacy Claims:**

- \$1,000,000 settlement of a data breach at a medical network
- \$1,000,000 settlement of invasion of privacy claim against app developer for unlawful tracking of runners
- \$3,700,000 settlement of suit that defendant's sensual device improperly collects personal information without consent
- \$5,750,000 in benefits and cash federal lawsuit settlement arising out of a data breach of personal information from hospital
- \$650,000 in benefits and cash federal lawsuit settlement arising out of data breach of personal information from a hospital system
- \$225,000 in benefits and cash federal lawsuit settlement arising out of a data breach in a medical rehab organization
- \$4,400,000 settlement of a suit alleging a mailing sent to plaintiffs disclosed HIV code
- \$500,000 settlement of suit brought under the United States Stored Communications alleging hacking of private emails
- \$1,950,000 settlement of a suit arising out of a hospital data breach
- \$1,588,000 settlement of a suit arising out of a health center data breach

- **Illinois Biometric Privacy Act (BIPA):**

- Settled over 40 BIPA federal and state court class actions totaling over \$40,000,000. Representative cases include:
- Settlement against a manufacturer of timekeeping devices for use by employers
- Numerous class action settlements arising out of finger scanning timekeeping system used in grocery stores, restaurants, factories, hotels, food packaging, staffing agencies, hospitals and other businesses

EMPLOYMENT

- **Discrimination/Retaliation:**

- \$2,850,000 settlement of claim by a corporate President alleging sex discrimination and retaliation
- \$1,100,000 settlement of claim brought by a former officer in an investment management firm alleging wrongful termination and retaliation
- \$300,000 settlement of claim by an in-house counsel alleging age discrimination pending at the EEOC
- \$225,000 settlement of FMLA and race discrimination suit on behalf of two plaintiffs against manufacturing company
- \$305,000 settlement in pre-arbitration claim by Vice President alleging age and sex discrimination
- \$487,500 pre-suit settlement of claim by group Vice President alleging sex discrimination
- Pre-suit settlement of claim for disability discrimination termination in music industry
- \$375,000 pre-suit settlement of claim for age discrimination arising out of termination of consulting agreement
- \$105,000 pre-suit settlement of age and sex discrimination claim arising out of an executive's demotion
- \$230,000 pre-suit settlement of pay discrimination against a hospital
- \$1,500,000 class action settlement of a lawsuit alleging racial discrimination in the hiring of temporary workers in candy factory
- \$150,000 settlement of pre-suit claim for age discrimination by terminated distribution center manager
- \$500,000 settlement of pre-suit claim by head of Human Resources negotiating a separation agreement following allegations of race discrimination and retaliation
- \$600,000 settlement of pre-suit claim by Human Resources Vice President alleging her termination was the result of race discrimination
- \$212,000 settlement of pre-suit claim by drug sales representative alleging sexual orientation discrimination and retaliation
- Settlement of three wrongful termination lawsuits brought against union
- \$117,000 settlement of pre-suit claim alleging age discrimination in connection with a failure to promote a vice president
- Pre-suit settlement of claim brought by former corporate controller alleging disability and FMLA discrimination

- **Breach of Contract:**

- \$1,700,000 pre-suit settlement alleging breach of contract for unpaid bonus
- \$775,000 settlement of suit brought by Chief Technology Officer arising out of employment agreement
- Pre-arbitration settlement of a breach of contract and breach of fiduciary claim against an executive in the securities investment industry
- \$1,260,000 settlement of suit by former VP alleging breach of an employment agreement for failure to pay for vested stock
- \$1,125,000 settlement of suit for breach of contract arising out of Vice President's claim that he was wrongfully terminated for cause
- \$1,475,000 settlement of suit alleging breach of employment agreement by a former CEO who was terminated after being accused of breach of fiduciary duty
- \$700,000 pre-suit settlement of claims by Sr. V.P. for commissions and stock options
- Settled a breach of contract and wrongful discharge suit brought by a real estate manager against his former employer
- \$1,800,000 settlement of pre-suit claim by former company president for breach of contract and wrongful termination
- \$1,500,000 settlement of lawsuit for alleged breach of an executive employment agreement
- Pre-suit settlement of claim by officer against former employer alleging breach of an equity participation agreement
- Settlement of suit between business and its former President alleging claims and counterclaims for breaches of contract and fiduciary duty
- Settled suit by law firm income partner claiming wrongful termination
- Settled several pre-suit claims and lawsuits brought by salespersons against former employers for unpaid sales commissions

- **EEOC Class Actions:**

- \$2,500,000 settlement of a claim on behalf of disabled persons who were refused employment in railroad industry
- \$3,300,000 settlement of a claim alleging discrimination against hearing impaired package handlers
- Settlement of four claims pending at EEOC alleging sex harassment committed by partner in law firm
- \$2,000,000 settlement alleging disability discrimination against major shipping company arising out of company's medical leave policy
- \$6,000,000 settlement of suit alleging disparate impact in use of criminal background checks in hiring
- \$4,400,000 settlement of ADA suit brought in the USDC SD ILL
- \$4,250,000 settlement of suit alleging sex discrimination in hiring of women in the mining industry
- \$1,800,000 settlement of suit alleging race discrimination and retaliation in the manufacturing industry

- **FLSA and State Employment Statutes:**

Settled numerous FLSA/State law overtime/wage class actions and individual suits in the banking, bookstore, office equipment, temporary staffing, recruiting, healthcare, home clinicians, medical records, newspaper, restaurants, retail, gym and warehouse industries

- **Sex Harassment:**

- \$328,000 settlement of claim for gender discrimination and sex harassment
- \$250,000 pre-suit settlement of sex harassment claim against private club
- Settled two claims for sex harassment against a dentist

- **Whistleblower Claims:**

- \$218,500 settlement of whistleblower wrongful termination lawsuit pending in federal court
- \$162,500 settlement for wrongful termination alleging retaliation of a whistleblower claim
- \$625,000 settlement of claim for wrongful termination under Whistleblower Act
- Settlement of suit brought by park district executive director alleging retaliation and violation of Illinois Whistleblower Act
- \$210,000 pre-suit settlement of whistleblower wrongful termination claim by bank employee

- **Workers Adjustment and Retraining Notification Act:**

\$387,500 settlement on behalf of 130 employees

INSURANCE

- **Agency Dispute:**

Settled pre-suit claim alleging refusal to award position as general agent

- **Class Action:**

- \$2,039,500 settlement of suit alleging defendant wrongfully denied coverage of claims based on alleged misrepresentations in insurance application

- **Coverage:**

- \$720,000 pre-suit settlement arising out of a claim for forgeries under a Financial Institutions Bond
 - \$750,000 settlement of suit under a life insurance policy where policy was terminated due to an alleged late payment
 - \$300,000 settlement for defense costs arising out of civil investigative demands brought by government agency
 - \$2,250,000 settlement of pre-suit claim for insurance coverage arising out of employee theft
 - \$135,000 settlement of health benefits claim for emergency air ambulance transportation
 - \$280,000 settlement of pre-suit claim under a fidelity insurance policy arising out of claim for employee theft
 - \$1,250,000 settlement of pre-suit claim against a title insurance company for failure to disclose a covenant
 - \$8,500,000 settlement of suit seeking coverage for the defense and resolution of asbestos bodily injury claims
 - \$4,000,000 pre-suit settlement of five party coverage dispute arising out of an underlying personal injury judgment
 - \$625,000 settlement of suit alleging duty to defend under a general liability policy and the applicability of a sub-limit endorsement
 - \$2,250,000 settlement of suit seeking coverage for preservation of property arising out of a pre-flood move of computer data
 - \$3,725,000 settlement of breach of contract/suit to recover on closing protection letters
 - \$8,000,000 settlement of insurance coverage claim arising out of underlying settlement of product liability cases
 - \$550,000 settlement of coverage action involving advertising disparagement coverage
 - \$1,500,000 settlement of coverage suit involving a Financial Institution Bond
 - \$4 million settlement of suit involving insurance coverage and valuation dispute arising out of equipment breakdown
 - Settled coverage dispute brought by municipality for environmental damage occurring over many years and involving multiple carriers and policies
 - \$1 million settlement of lawsuit involving coverage under a fidelity policy
 - Settled pre-suit dispute arising out of purchase of variable annuities
 - Settled suit to recover under Lien holder's Interest Endorsement arising from governmental seizure of insured aircraft

- **D&O Policies:**

- Settled 14 claims, both pre-suit and after commencement of litigation, by the FDIC against former officers and directors of closed banks in which D&O carriers were involved in the settlement
- Settled an insurance coverage suit under a D&O policy for amounts incurred in settling an EPA claim
- \$2,700,000 settlement of lawsuit brought by bankruptcy trustee against carrier for former officers and directors

- **Rescission:**

\$382,000 buyout settlement of pre-suit claim seeking rescission of disability and long-term care policies

- **Subrogation:**

- \$4,900,000 pre-suit settlement of a claim arising out of an electrical fire in a plant
- Settled subrogation claim for water damage to commercial building due to alleged defective water sprinkler

INTELLECTUAL PROPERTY

- **Copyright/Trademarks:**

- Settled suit for trademark infringement and breach of fiduciary duty arising out creation of new company in farm seed industry
- Settled lawsuit alleging copyright infringement of software
- Settled suit against multiple defendants alleging copyright infringement in connection with educational texts
- Settled twelve suits for copyright infringement of architectural home designs and related insurance coverage issues pending in Wisconsin, Iowa, Illinois and Indiana
- Settled false advertising claim pending in arbitration regarding the alleged misrepresentations of prescription drug plans
- Settled trademark infringement claim between two insurance companies
- Settled suit involving claim for trademark violation and breach of restrictive covenant
- Settled suit for trademark infringement and unfair competition in the meeting management and event marketing industry
- Settled lawsuit for trade and copyright infringement involving medical scrub uniforms
- Settled suit alleging trademark infringement in the consulting industry resulting in a rebranding

- **Patent:**

- Settled a patent suit involving thermal interface material
- Settled a patent suit involving automated trading of derivatives
- Settled two patent infringement suits between parties relating to popcorn makers
- Settled a patent suit involving on-line focus groups
- Settled pre-suit patent dispute involving respiratory devices
- Settled suit for patent infringement relating to spine surgery table
- Settled two suits involving claim for breach of patent license
- Settled a patent suit involving automotive software

PROFESSIONAL LIABILITY

- **Accounting:**

- \$600,000 settlement of a pre-arbitration claim alleging accountant failed to discover employee fraud during company audit
- \$200,000 settlement arising out of a claim that an accounting firm did not detect fraud committed by client employee
- \$500,000 settlement of claim by bank against accounting firm alleging that assets purchased from FDIC were improperly valued
- \$500,000 settlement of arbitration proceeding alleging improper asset valuation in connection with purchase of bank assets

- **Banking/Directors and Officers Liability:**

Settled 14 suits and pre-suit claims brought by the FDIC against former officers and directors of closed banks alleging they were grossly negligent in making loan. The settlements total over \$43,000,000

- **Insurance:**

\$1,600,000 settlement of suit alleging malpractice by insurance broker in writing life insurance policy resulting in interpleader action by competing claimants to the policy

- **Legal:**

- \$1,000,000 pre-suit settlement of claim alleging malpractice in providing tax shelter advice
- \$1,900,000 pre-suit settlement of claim alleging malpractice caused an exceptional case attorneys fee award in a patent case
- \$140,000 pre-suit settlement alleging malpractice arising out of a real estate purchase and related rescission lawsuit
- \$875,000 settlement of suit alleging legal malpractice arising out of patent litigation
- \$525,000 settlement of suit alleging legal malpractice arising out of preparation of securities offering
- \$7,500,000 settlement of suit alleging malpractice in structuring of real estate shopping center transaction
- \$450,000 settlement of suit alleging malpractice in organizing a LLC
- \$550,000 settlement of suit alleging attorney failed to timely renew trademark
- \$250,000 settlement of pre-suit claim alleging malpractice arising out of a real estate purchase
- \$225,000 settlement of suit alleging failure to adequately represent plaintiff in a federal civil rights action
- \$275,000 settlement of pre-suit claim that counsel caused client to make an investment with a crook
- \$1,300,000 settlement of suit alleging malpractice in real estate litigation in which multimillion dollar judgment was entered against plaintiff
- \$500,000 settlement of claim against bankruptcy counsel for alleged breach of fiduciary duty

REAL PROPERTY

- Settled multiple suits between 50/50 partners arising out of \$600,000,000 real estate business
- Settled suits between 50/50 partners involving 27 apartment complexes and creation of plan of separation between partners involving over \$100 million in real estate
- \$2,300,000 pre-suit settlement of construction contract dispute arising out of currency fluctuation in South America
- \$1,000,000 settlement of a claim for breach of a purchase/sale agreement of a nursing home
- \$257,000 settlement of landlord suit against tenant alleging property and environmental damage
- \$800,000 pre-suit buyout of 1 of 3 partners in major private real estate investment firm
- Settlement of lawsuit brought by adjoining home owner alleging multi-million dollars in damages arising out of the construction of a new school building

- \$1,250,00 settlement of pre-suit claim against a title insurance company for failure to disclose covenant
- \$325,000 settlement of suit alleging fraud and breach of contract in connection with purchase of shopping center
- Settled a breach of contract and fraud suit against builder arising out of the construction of a \$2.3 million home
- Multimillion dollar settlement of suit alleging breach of real estate remarketing agreement and counterclaim for fraud
- Settled two suits by real estate developer against municipality alleging breach of contract and fraud for failure to pay for his real estate marketing activities

Honors, Memberships, and Professional Activities

Background and Education
